

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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In re : Chapter 11  
:   
EXTENDED STAY INC., *et al.*, : Case No. 09-13764(JMP)  
:   
Debtors. : (Jointly Administered)  
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**ORDER TO SHOW CAUSE TO SHORTEN NOTICE PERIOD FOR MOTION OF THE  
UNITED STATES TRUSTEE FOR THE APPOINTMENT OF AN EXAMINER  
PURSUANT TO SECTION 1104(c) OF THE BANKRUPTCY CODE**

Upon the motion, dated July 30, 2009 (the “Examiner Motion”) of the United States Trustee for the Appointment of an Examiner Pursuant to Section 1104(c) of the Bankruptcy Code, and upon the Declaration of Elisabetta G. Gasparini Pursuant to Local Rule 9077-1(a), dated July 30, 2009 (the “Declaration”), attesting to the necessity for relief by Order to Show Cause; and it appearing that no notice of this Order to Show Cause need be given, except as provided herein; and after due deliberation and sufficient cause appearing thereof, it is hereby;

ORDERED that a hearing (the “Hearing”) to consider the Examiner Motion shall be held before the Honorable James M. Peck, United States Bankruptcy Judge, in Courtroom 601, United States Bankruptcy Court for the Southern District of New York, One Bowling Green, New York, New York 10004 on **August 12, 2009 at 10:00 a.m. (Prevailing Eastern Time)**, or as soon thereafter as counsel may be heard; and it is further

ORDERED that objections and responses, if any, to the Examiner Motion shall be in writing, shall conform to the Federal Rules of Bankruptcy Procedure and the Local Rules of the Bankruptcy Court for the Southern District of New York, shall set forth the name of the objecting party, the basis for the objection and the specific grounds thereof, shall be filed with

the Bankruptcy Court electronically in accordance with General Order M-242 (which can be found at [www.nysb.uscourts.gov](http://www.nysb.uscourts.gov)) by registered users of the Bankruptcy Court's case filing system and by all other parties in interest, on a 3.5 inch disk, preferably in Portable Document Format (PDF), WordPerfect, or any other Windows-based word processing format (with two hard copies delivered directly to the chambers of the Honorable James M. Peck), and shall be served upon: (i) the Office of the United States Trustee for the Southern District of New York, 33 Whitehall Street, 21<sup>st</sup> Floor, New York, New York 10004, Attn: Paul Schwartzburg, Esq. and Elisabetta G. Gasparini, Esq., (ii) Weil, Gotshal & Manges LLP, 767 Fifth Avenue, New York, New York 10153, Attn: Marcia L. Goldstein, Esq., attorneys for the Debtors; (iii) the Hahn & Hessen LLP, 488 Madison Avenue, New York, NY 10022, Attn: Mark T. Power, Esq., attorneys for the Official Committee of Unsecured Creditors; so as to be filed and received by no later than **August 7, 2009 at 4:00 p.m. (Prevailing Eastern Time)** (the "Objection Deadline").

ORDERED that notice shall be given by sending a copy of this Order to Show Cause, the Motion, and the proposed order on the Motion, via regular mail on or before **July 31, 2009** on the parties attached hereto as Exhibit A.

Dated: New York, New York  
July 30, 2009

*s/ James M. Peck*  
UNITED STATES BANKRUPTCY JUDGE

**EXHIBIT A**

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